

REMARKS

Claims 1-6, and 8-14 remain in the application.

REJECTION 102:

1. Claims 7 and 10 were rejected under 35 U.S.C. 103(a) as anticipated by Strauss US 4,208,614.

Claim 7 has been cancelled.

Claim 10 has been amended to depend from allowed claim 8.

REJECTION 103:

1. Claims 1, 4-6, 11 and 12 were rejected under 35 U.S.C. 103(a) as unpatentable over Strauss US 4,208,614

Claim 1 is for a support. The claim is not for the circuit structure of Strauss. '614.

Strauss '614 fails to provide a prima facie case of invalidity under 35 U.S.C. 102, since Strauss '614 fails to show, suggest, state or claim a limitation included in applicants' claims. Strauss '614 fails to teach: *"a third portion electrically connectable to said first electrical conductor and to said end-of-life device, and joining said first portion and said second portion, a section of said third portion being removable to separate, and form a gap between, said second portion and said third portion."*

Strauss '614 shows no portion *joining said first portion and said second portion*. Using the Office Action's reading, first portion 16 is not joined to the second portion 24. These elements are only coupled through the end-of-life device (filament 30). The claim requires the third portion being connectable to the end-of-life device AND JOINING THE FIRST PORTION. "AND" is not duplicative of the end-o-life connection. It is a separate and specific requirement that the third portion independently and actually join to the first portion. Strauss shows no such joining.

Strauss '614 shows no *section of said third portion being removable to separate, and form a gap between, said second portion and said third portion*. Again using the Office Action reading, removing a section of third portion 31 to leave a gap between 31 and 24 results in a short. The end-of-life filament would dangle freely. The lamp would fail to function. Such an inoperative lamp does not teach the structure of the claimed support. Item 31 fails to show a removable portion where the resulting structure would function in use in a lamp.

Strauss '614 does not substantially present the claimed invention. Strauss '614 fails to define an assembly support from which a portion is removed or removable. Strauss '614 therefore never addresses the problem of whether the lead coupling interferes with the removable section, or the end of life device coupling. While the present design is simple, Strauss '614 does not show teach or suggest how to make the two electrical connections in combination with the removable portion. Clearly one would not want the removal procedure to interfere or damage with the electrical couplings, or the EOL device. The Applicant teaches a solution to that problem, but Strauss '614 does not. Strauss '614 never has the problem to consider. Strauss '614 cannot make obvious a solution to a problem he never addresses.

The Office Action refers to *Nerwin v. Erlichman*, 168 USPQ 177, 179 for the proposition that "constructing a formerly integral structure in various elements involves only routine skill in the art." The Office Action statement of *Nerwin* is a stretched interpretation. *Nerwin* actually repeats the well-known proposition that there is generally no invention where an integral device is divided into parts or where several parts are integrated into one. That is not the case here.

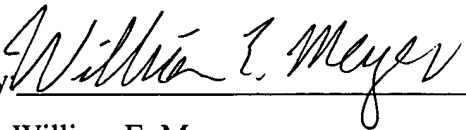
Here, the Inventor includes an additional part. This part is not present in the Strauss '614 reference or in any other cited reference. This is the connection between the second and third portions. While this piece is subsequently divided (by removing a section), it is still present in the claimed support, and it is not present in the referenced art. *Nerwin* does not, nor can any reference generalize about the inventiveness of "an integral part with an additional new piece" or an "aggregation of several pieces with an additional new piece." *Nerwin* is only concerned with the integration or division of a fix set of pieces. *Nerwin* says nothing about adding or subtracting pieces. *Nerwin* is then inapplicable in the present case, and does not provide a legal base for the rejection.

Strauss '614 does not present the claimed invention. Strauss '614 fails to show teach or suggest a support having the third portion electrically and mechanically coupled to a tungsten halogen lamp as claimed. Strauss '614 fails define a lamp support from which a portion is removable which enables simplified initial assembly followed by final product enablement by the removal step. The remaining references fail to teach a tungsten halogen lamp with a safety device, and certainly not one with the combined support and safety device as claimed by the Applicant. None of the references suggest a

support device that enables rapid and accurate assembly of a lamp with a safety device. Rather they disclose lamp assemblies that are hand assembled requiring care and limit the order of assembly. The rejection of claim 13 as being unpatentable under 35 U.S.C. 103 as being obvious over the combination of Strauss '614 and admitted prior art is respectfully traversed and reconsideration thereof is requested.

It is believed that a full and complete response to the Office Action has been made, that the Application as amended is patentably distinct over the cited art, and that the case is now in condition to be passed to issue. Reconsideration of the amended application is therefore requested, and an early favorable notice of allowance is courteously solicited.

Respectfully submitted,

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